

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

In re

FREDERICK ASHTON WHIPPLE dba
DENALI OUTDOOR
DEBRA ANNE WHIPPLE

Case No. 94-10855 K

Debtors

The United States Trustee has objected to \$412.50 of the \$1142.00 allowance sought. The grounds are that the services performed "appear" to consist of non-attorney duties or that the application does not include "sufficient information" to reflect that attorney's services were required.

Presumably, the Trustee believes there were such legal services involved, and the U.S. Trustee thinks there were not, or can't tell.

On the limited grounds that the application fails to contain certain sufficient information, the objection is sustained.

It is suggested that counsel refrain from using the cryptic format "Preparation of letter re ____" when describing legal services. Lawyers shouldn't be charging to "prepare" a letter. On the other hand, they certainly may charge to "draft a demand letter." Similarly, when a lawyer bills for a "conference," the time entry should note what "right" or "duty" or legal dispute, etc. was under discussion. And when a lawyer charges because he "received" or "reviewed" a letter, the time entry ought to note what "demand" etc. was contained therein that

required his attention, or what other content of the letter required evaluation from a lawyer's perspective.

By all means, the Court believes that the Chapter 7 Trustees who appear before it are entitled to the benefit of doubt in such matters. But to dispense with the need to add the few key words here and there in a fee application that make the difference between doubt and certainty on the face of the document, is a slippery slope.

\$412.50 is disallowed.

SO ORDERED.

Dated: Buffalo, New York
April 16, 1996

/s/Michael J. Kaplan

U.S.B.J.